

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DARNELL CHILES,
Plaintiff,

v.

CAROLYN COLVIN,
Acting Commissioner of Social Security,
*Defendant.*¹

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CIVIL ACTION

NO. 11-941

ORDER

AND NOW, this 9th day of July, 2013, upon consideration of Mr. Chiles' Request for Review (Doc. No. 3), Defendant's Answer (Doc. No. 9); and after review of the Report and Recommendation of U.S. Chief Magistrate Judge Carol Sandra Moore Wells (Doc. No. 16), Mr. Chiles' Objections thereto (Doc. No. 17), and Defendant's Response (Doc. No. 18), it is hereby **ORDERED** that:

1. The Report & Recommendation (Doc. No. 16) is **APPROVED AND ADOPTED in part** and **DENIED in part**;
2. Plaintiff's Request for Review (Doc. No. 3) is **GRANTED in part** and **DENIED in part**;
3. The matter is **REMANDED** to the Commissioner for further review; and
4. The Clerk of the Court shall mark this case **CLOSED** for all purposes, including statistics.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

¹ On February 14, 2013, Carolyn W. Colvin became Acting Commissioner of Social Security. Pursuant to Federal Rule of Civil Procedure 25(d), Carolyn W. Colvin should be substituted for Michael J. Astrue as the defendant in this suit.